

REMARKS

Claims 4 and 6 remain in the application and have been amended hereby.

Reconsideration is respectfully requested of the objection to the drawings as not showing every feature of the invention specified in the claims. Specifically, the examiner notes the determining means, the comparing means, and the updating means are not specifically shown in the drawings.

Claim 4 has been amended hereby to recite that a microcomputer is provided that provides the determining function, the comparing function, and the updating function.

Accordingly, since the microcomputer is shown in Fig. 3 of the present application, it is respectfully submitted that the claimed invention is shown in the drawings.

Reconsideration is respectfully requested of the objection to the specification as not providing an antecedent basis for the claimed subject matter. Specifically, the examiner notes that periodically updating is not found in the specification.

The claims have been amended hereby to eliminate the word "periodically". What was attempted to be stated was

the fact that the updating operation is reiterated, as shown in the drawing of Fig. 6, in which no matter what the outcome of the updating operation is, the operation is reiterated by always returning to "start". Such iteration is stated at page 18 of the present specification.

Accordingly, it is respectfully submitted that the claimed invention is properly supported by the specification.

Reconsideration is respectfully requested of the rejection of the claims under 35 USC 103 as being unpatentable over Friel et al.

As previously noted, the present invention provides a system that determines the actual remaining capacity of a battery. Typically, the actual remaining battery capacity can be continuously measured or monitored, as in Friel et al., and continuously assigning a new value to the measured capacity. On the other hand, the present invention stores the calculated remaining capacity value. Subsequent events can result in the stored value being inaccurate. According to the present invention, the stored value is periodically updated, that is, it is repeatedly updated. In other words, at all times the stored value should be the actual remaining capacity value, as obtained by reiterating the updating operation.

Claims 4 and 6 have been amended hereby to emphasize the above-noted features of the present invention.

Although Friel et al. provides a system that calculates the remaining capacity of the battery and is used with other variables, such as temperature, to control the charging of the battery, Friel et al. does not store the calculated remaining capacity and does not update the stored remaining capacity based in a reiterated fashion, as in the presently claimed invention.

Accordingly, in view of the amendments made to the claims hereby, as well as the above remarks, and the amendments to the claims to reflect the nomenclature of the specification, it is respectfully submitted that a method and apparatus for determining an actual remaining capacity of a battery by updating a stored remaining capacity value on a reiterated basis, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the cited reference.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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